



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,779	01/10/2002	Andre Paul Cyrille Laurin	2588/102	9140
2101 7590 01/29/2008 BROMBERG & SUNSTEIN LLP 125 SUMMER STREET BOSTON, MA 02110-1618			EXAMINER JEANTY, ROMAIN	
			ART UNIT 3623	PAPER NUMBER
			MAIL DATE 01/29/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/044,779

**Applicant(s)**

LAURIN ET AL.

**Examiner**

Romain Jeanty

**Art Unit**

3623

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-93 is/are pending in the application.
- 4a) Of the above claim(s) 3, 42-45, 48 and 87-90 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-41, 46, 47, 49-86 and 91-93 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This Final Office action is in response to the communication received. Claims are pending in the application.

### **Response to Arguments**

2. Applicant's arguments with respect to claims 1-2, 4-41, 46-47, 49-86, 91-93 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-2, 28-41, 46-60, 61-80-86, 91-93 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Alessandro (U.S. Patent No. 6,556,974) in view of Tso (US Patent No. 6,085,201).

Regarding claims 1-2, 28-41, D'Alessandro disclose obtaining over a computer network a structured response from an employee of the business (col. 5, lines 44-53), and determining the network routing of data from the structured response to business management based upon entries of the response (LAN for carrying the gathered responses from the employees) (col. 5, lines 44-59). D'Alessandro discloses all of the limitations above but fails to explicitly disclose presenting

Art Unit: 3623

to a user seeking to submit a suggestion for business improvement, a series of two or more templates on a terminal device, wherein the structured response includes characterization by the user of the type of suggestion and at least one of the templates presented to the user is selected according to the type of suggestion characterized by the user. Tso in the same field of endeavor discloses the concept of presenting more than one templates to user in order for the user to make decision. Note col. 5 line 7 through col. 6 line 51. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the disclosures of D'Alessandro to include the teaching of Tso so that users can efficiently generate an appropriate text string with minimal effort.

Claims 46, 61-62, 69 and 71 are computer program product having computer readable code thereon for providing to business management a plan for implementing an employee suggestion of method claim 1; therefore claims 46, 61-62, 69, 71 are rejected under the same analysis relied upon of claim 1.

Claim 79 is a computer program product according to claim 46, further comprising: maintaining an employee suggestion log in memory of claim 34 above; therefore claim 79 is rejected under the same analysis relied upon of claim 34 above.

Claim 85 is a computer program product according to claim 46, further comprising maintaining an employee suggestion log in memory of claim 34 above; therefore claim 79 is rejected under the same analysis relied upon of claim 46 above.

Claims 91-92 recite all of the limitation of claim 1 above except for a set of templates from the employee creating. Note the rejection of claim 1 regarding the templates above.

Art Unit: 3623

Regarding claim 4, D'Alessandro further discloses wherein the type of proposal may be selected from **one of the group of** cost saving, revenue generation, quality improvement, safety improvement, customer service improvement, policy change and advertising or corporate slogan (col. 9, lines 31-36).

As per claim 11, D'Alessandro does not teach wherein access to financial data is controlled through an employee's log-in for the computer network. However, wherein access to financial data is controlled through an employee's log-in for the computer network is old and well known in the art in order to provide unauthorized access to the financial data.

Regarding claim 34, D'Alessandro does not explicitly disclose maintaining an employee suggestion log in memory associated with the processor. However it is old and well known in the art to maintain an employee suggestion log in memory in order to provide easy access to the suggestion data. It would have been obvious to a person of ordinary skill in the art to modify the disclosures of D'Alessandro to include this well-known teachings in order to provide easy access to the data.

Claims 47-55, 57-62, are computer program having computer codes thereon for providing to business management a plan for implementing the steps of method claims 2-3, 5-6, 7-10, 12, 13-33, 35-36, 38-41 above; therefore claims 47-55, and 57-62 are rejected under the same rationale relied upon of claims 2-3, 5-6, 7-10, 12, 13-33, 35-36, 38-41 above.

Claims 56 is a computer program product wherein access to financial data is controlled through an employee's log-in for the computer network of method claim 11 above; therefore claim 56 is rejected under the same analysis relied upon of claim 11 above.

### **Conclusion**

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ



Romain Jeanty  
Primary Examiner  
Art Unit 3623  
January 17, 2008